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and

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

BRASSICA PROTECTION PRODUCTS LLC, : 1:07-cv-07844-SAS

Plaintiff, :
-against- :
CAUDILL SEED & WAREHOUSE CO., INC. :
Defendant. :
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**INITIAL DISCLOSURES OF
DEFENDANT CAUDILL SEED & WAREHOUSE CO., INC.**

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Defendant Caudill Seed & Warehouse Co., Inc. ("Caudill") hereby provides its Initial Disclosures. Because it has not yet answered the Complaint or filed any potential counterclaims, these disclosures are preliminary, and will be timely supplemented, if necessary, after Caudill has substantively responded to the Complaint.

A. The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information.

Dan Caudill, Caudill's Chief Executive Officer, has information related to the development of the accused glucoraphanin ("GR") -containing products, non-infringement, patent invalidity and unenforceability, the contractual relationship between Caudill and Plaintiff, and damages.

Kean Ashhurst, Caudill's Director of Research, has information related to the development of the accused GR-containing products, non-infringement, patent invalidity and unenforceability, and the contractual relationship between Caudill and Plaintiff.

Joseph Lyons, Caudill's Director of Marketing, has information related to the sales and marketing of the GR-containing products, including profitability and costs, and damages, and the contractual relationship between Caudill and Plaintiff.

Iris Mudd, Caudill's Chief Financial Officer, has information related to financial information concerning the accused GR-containing products, and damages.

The above-listed individuals are employees of Defendant Caudill, and so can be contacted only through counsel.

Patrick J. Welsh, Member, Greenbaum Doll & MacDonald PLLC, 3500 National City Tower, 101 South Fifth Street Louisville, Kentucky 40202, has information related to the parties' contractual relationship, and the license agreement.

Gary Gobeli, 11108 Coventry Greens Drive, Louisville, KY 40241, as a sales broker for Caudill, has information related to sales and marketing of the accused GR-containing products and the contractual relationship between the parties.

Floyd I. Whittlin, Partner, Bingham McCutcheon LLP, has information related to the parties' contractual relationship and the license agreement.

Antony Talalay, Chief Executive Officer, Brassica Protection Products LLC, has information related to non-infringement, patent invalidity and unenforceability, the contractual relationship between Caudill and Plaintiff, and alleged damages.

Dr. Paul Talalay, Professor, Johns Hopkins University School of Medicine, has information related to patent invalidity and unenforceability, and is believed to have information related to the contractual relationship between Caudill and Plaintiff, and alleged damages.

Dr. Jed Fahey, Director of Chemoprotection Laboratory, Brassica Protection Products LLC, has information related to patent invalidity and unenforceability.

B. A copy of, or a description by category and location of, all documents, electronically stored information, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment.

Caudill's business records (including documentation related to the development, manufacture, marketing and sales of its accused GR-containing products, documentation related to the license agreement and contractual relationship between the parties, and documentation related to damages) are generally located at 1402 W. Main Street, Louisville, Kentucky and, to the extent requested and responsive to a proper request will be produced at the law offices of:

FROST BROWN TODD LLC
400 W. Market Street
32nd Floor
Louisville, KY 40202-3363

C. A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.

Given that Caudill has not yet answered the Complaint or filed any potential counterclaims, conducted discovery or retained any damages experts, a computation of damages or disclosure of documents or materials would be premature at this time.

D. A copy of any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Caudill is currently unaware of any insurance agreement under which any insurer may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Respectfully submitted,



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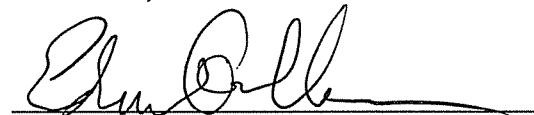
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CERTIFICATE OF SERVICE

I hereby certify that on December 3, 2007, the Initial Disclosures of Defendant Caudill Seed & Warehouse Co., Inc. were served by hand-delivery upon the following:

Richard S. Taffet, Esq.
Edward L. Powers, Esq.
Bingham McCutchen LLP
399 Park Avenue
New York, NY 10022-4689



Edwin E. Grullon